



CITY OF MEMPHIS

COUNCIL AGENDA

January 8, 2008

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (December 18, 2007)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING (None)

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

ENGINEERING

1. RESOLUTION approving final plat of WAL-MART SUBDIVISION.
Case No. S 07-026

Resolution approves the final plat located on Friars Point, south of Trinity Road. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution
2. RESOLUTION accepting WESTIN-BEALE STREET HOTEL and authorizing release of bond.
(Contract No. CR-5050)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the northwest corner of Third Street and Lt. George W. Lee Avenue. The standard improvement contract was approved on February 6, 2007. Resolution also authorizes the release of the Letter of Credit in the amount of \$183,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

NOTATION FROM OPD

3. **NOTATION** from Land Use Control Board that the following case was heard and recommendation made requesting a date of public hearing:

A. Case No. SAC 07-609 – Old Lamar Avenue Closure

Located north of the intersection of U.S. Highway 78 and Old Lamar Avenue, containing 3.449 square feet in the Light Industrial (I-L) District

Applicant: BNSF Railway Company
W. Max Rexroad/Hanson-Wilson – Representatives

Request: Close and Vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: January 22, 2008



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MLGW FISCAL CONSENT

4. RESOLUTION approving Change No. 12 to Contract No. 10569, Interactive Voice Response Systems, with Nortel Networks, Inc. in the funded amount of \$30,540.00. (This upgrades the ProCenter Call Routing System to reflect changes made to the MLGW Credit Policy.)
5. RESOLUTION awarding 36-month contract for photo-electric cell relays to the DTL Division of American Electric Lighting, an Acuity Brands company, c/o Ruffin & Associates in the amount of \$211,329.70.
6. RESOLUTION amending Purchase Order No. 129505 with Tyndale Company, Inc. for flame-resistant clothing in the amount of \$70,524.00, for a total amount of \$359,489.85.
7. RESOLUTION awarding contract for substation capacitor banks, as follows:

General Electric c/o Utilicor.....	\$120,304.00
Cooper Power c/o HD Supply.....	<u>106,540.00</u>
Total	\$226,844.00
8. RESOLUTION awarding contract for one galvanized steel transmission pole to TransAmerican Power Products, Inc. c/o Utilicor in the amount of \$36,471.00.
9. RESOLUTION awarding contract for Wonderware software upgrade to Insource Software Solutions in the amount of \$88,641.75.
10. RESOLUTION awarding 24-month contract for rental of wide format copier/plotter/scanner devices to Tech Plus, Inc. in the amount of \$201,162.00.
11. RESOLUTION approving payment of invoice from Tennessee One-Call System, Inc. in the amount of \$93,363.05 for 2008 membership dues.



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REGULAR AGENDA

12. Oath of Office – Inauguration certifying elected officials.
(on file in Council Records)

McCormick

13. Filing of Blanket Security Bond.
(on file in Council Records)

McCormick

GENERAL ORDINANCES – THIRD AND FINAL READING

14. **ORDINANCE** amending Chapter 36, Article I, Section 36-11 of the Code of Ordinances so as to establish a Senior Property Tax Freeze, up for T H I R D and F I N A L reading.
Ordinance No. 5251

Ware

ACTION REQUESTED: Take whatever action Council deems advisable

15. **ORDINANCE** amending Chapter 21, Article VI, Section 237 of the Code of Ordinances to prohibit Minors Soliciting from Right of Ways, up for T H I R D and F I N A L reading.

Lowery

Ordinance No. 5248

ACTION REQUESTED: Take whatever action Council deems advisable

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION

16. RESOLUTION accepting grant funds in the amount of Two Million, Seven Hundred Twenty Thousand, Four Hundred Eighty-Eight Dollars (\$2,720,488.00) from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title One Adult and Administrative Services Grant. Resolution also amends the FY 2008 Operating Budget to establish and appropriate grant funds.

Ware

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION accepting grant funds in the amount of One Million, Eight Hundred Fifty Three Thousand, Six Hundred, Sixty Four Dollars (\$1,853,664.00) from the State of Tennessee Department of Labor and Workforce Development Division for WIA Title One Dislocated Workers and Administrative Services Grant. Resolution also amends the FY 2008 Operating Budget to establish and appropriate grant funds.

Ware

ACTION REQUESTED: Adopt the resolution

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

PARK SERVICES (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES

18. RESOLUTION to receive and appropriate \$200,000.00 from the City of Bartlett to be used to purchase books and materials for the Bartlett Branch of the Memphis Public Library and Information Center.

Brown

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION to receive and appropriate \$40,000.00 from the State of Tennessee, Community Enhancement Grant to be used to purchase books and materials for the Hollywood, Frayser, Randolph and Raleigh Branch Libraries of the Memphis Public Library and Information Center.

Brown

ACTION REQUESTED: Adopt the resolution

20. RESOLUTION to amend the FY 2008 CIP Budget by transferring \$1,600.00 from CIP Project Number LI01007 to LI011011 in other costs to purchase three service vehicles to replace three existing Library service vehicles.

Brown

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION to receive and appropriate \$54,756.00 in E-Rate reimbursement funds from the Universal Service Administrative Company, Federal Communication Commission, for telecommunication and internet access.

Brown

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION transferring and appropriating \$860,470.00 in G.O. Bonds General and Federal Funds for Animal Shelter Replacement/Motor Vehicle Inspection Station: Appling Farms Parkway/Appling City Cove/Murray Farms Road, Project Number PS01010, Animal Shelter Replacement, PS01009 Motor Vehicle Inspection Station, ST03006 Public Works Storm Drainage.

Brown

ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC WORKS

23. RESOLUTION appropriating \$290,902.00 funded by Sewer Funds for Jack Carley Sewer Repair, Project Number SW02073 for a construction contract with Acuff Enterprises, Inc., dba Scott Contractors, Inc.

Ware

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION appropriating \$2,675.481.00 funded by G.O. Bonds – General in Holmes/Tchulahoma/Getwell, Project Number PW01123 for a construction contract with Ferrell Paving, Inc.

Ware

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION appropriating \$994,131.00 funded by G.O. Bonds – General (Storm Water) in 2nd Pres Detention North, Project Number ST03105 for a construction contract with Ensco, LLC.

Ware

ACTION REQUESTED: Adopt the resolution

ZONING ORDINANCE – THIRD AND FINAL READING (None)

DIVISION OF PLANNING & DEVELOPMENT

26. RESOLUTION approving a hotel waiver for the Hyatt Place Hotel Memphis at 1220 Primacy Parkway, Memphis, TN 38119.

Lowery

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARING

27. RESOLUTION approving a planned development located on the northwest corner of James Road and Warford Road, containing .94 acre in the Single-Family Residential (R-S10) District.

Lowery

Case No. PD 07-324

Applicant: Edward Lindsey
Frank Palumbo – Representative

Request: A two-lot commercial planned development

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

36 NOTICES MAILED ON DECEMBER 28, 2007

PRESENTATIONS AND RECOGNITION OF VISITORS

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ON

28. RESOLUTION approving final plat of UT/BAPTIST RESEARCH PARK TRUCK COURT SANITARY SEWER RELOCATION.

Consent

Contract No. CR-5103

Resolution approves the final plat located on the northeast corner of East Street and Union Avenue. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE:

1. & 2 – Approved
3. Public Hearing Set for January 22, 2008
4. Through 14 – Approved
15. Held until January 22, 2008
16. Through 26 – Approved
27. Held until February 5, 2008
28. Approved

ACTION TAKEN ON THE MINUTES OF DECEMBER 18, 2007

Approved, as amended